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Attorneys for Plaintiffs: MICHAEL D. BURCH, SYLVIA BURCH

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

In Re: MICHAEL D. BURCH & SYLVIA BURCH, CASE NO. S. 04-38 WBS/GGH

Debtors.

STIPULATED REQUEST TO MODIFY STATUS (PRE-TRIAL SCHEDULING) ORDER

MICHAEL D. BURCH AND THE BANKRUPTCY ESTATE OF MICHAEL D. BURCH,

Plaintiffs,

vs.

BOARD OF REGENTS OF THE UNIVERSITY OF CALIFORNIA AT DAVIS; et al.,

Defendants.

On July 22, 2005, the Court issued an order on various issues, which included a modification to the Scheduling Order in effect at that time to extend the discovery deadline to August 26, 2005. Plaintiffs' counsel started the deposition of Cris Brines on August 26, 2005, but was unable to complete it on that date because of time constraints that the witness had. Plaintiffs' counsel has also indicated that she wants to take the deposition of John Kirkwood, who resides in New York. The parties were unable to come up with a mutually agreeable date for the deposition of Mr. Kirkwood prior to the August 26th deadline. The parties are amenable to extending the most recent discovery deadline until September 16, 2005, solely for the purposes of completing the deposition of Cris Brines and taking the deposition of John Kirkwood. Accordingly, they request that the Court modify its Status (Pre-Trial Scheduling) Order to extend the time to take and complete the depositions of Cris Brines and John Kirkwood until September 16, 2005. The requested modification will not affect any of the other dates established in the Court's order of July 22, 2005.

It is so stipulated.

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Dated: August ____, 2005

MICHAEL BURCH, et al.
Plaintiffs

By _____

Kristen Galles
EQUITY LEGAL
10 Rosecrest Avenue
Alexandria, VA 22301

Dated: August ____, 2005

PORTER, SCOTT, WEIBERG & DELEHANT
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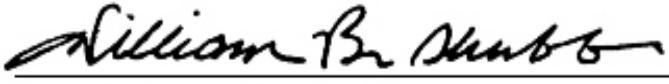
By _____

Nancy Sheehan
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REGENTS OF THE UNIVERSITY OF
CALIFORNIA, LARRY VANDERHOEF,
GREG WARZECKA, PAM GILL-FISHER,
ROBERT FRANKS AND LAWRENCE
SWANSON

ORDER

GOOD CAUSE APPEARING, the foregoing stipulated request is granted and the deadline for completing the depositions of Cris Brines and John Kirkwood is extended through September 16, 2005.

Dated: September 1, 2005



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

BURCH v. BOARD OF REGENTS, et al.

**U.S. DISTRICT COURT, EASTERN DISTRICT CASE NO. CIV.S-04-38 WBS/GGH
BANKRUPTCY CASE NO. 01-31315-B-7**

PROOF OF SERVICE

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of eighteen years and not a party to the above-entitled action; my business address is 350 University Avenue, Suite 200, Sacramento, CA 95825.

On August ____, 2005, I served the following document(s):

**STIPULATED REQUEST TO MODIFY STATUS (PRE-TRIAL SCHEDULING)
ORDER**

XX **BY MAIL.** I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Sacramento, California.

— **BY E-MAIL.** I caused such document to be emailed to the office of the person(s) listed below at kgalles@comcast.net and kgalles@abanet.org.

— **BY FACSIMILE.** I caused such document to be faxed to the office of the person(s) listed below with an original or copy of said document placed in the United States mail with postage thereon fully prepaid at Sacramento, California.

addressed as follows:

**Kristen Galles
EQUITY LEGAL
10 Rosecrest Avenue
Alexandria, VA 22301**

**Richard Hanf, Trustee
P.O. Box 6499
Napa, CA 94581**

**Dan Seigal
Anne Butterfield Weills
SEIGAL & YEE
499 14th Street, Suite 220
Oakland, CA 94612**

I declare under penalty of perjury that the foregoing is true and correct and was executed on August ____, 2005, at Sacramento, California.

Cindy Cannon
